

AMENDED IN ASSEMBLY AUGUST 25, 2000

AMENDED IN ASSEMBLY AUGUST 18, 2000

AMENDED IN ASSEMBLY AUGUST 7, 2000

AMENDED IN SENATE MAY 11, 2000

AMENDED IN SENATE APRIL 13, 2000

AMENDED IN SENATE MARCH 27, 2000

SENATE BILL

No. 2084

Introduced by Senator Polanco
(Principal coauthor: Senator Peace)
(Coauthor: Assembly Member Scott)

February 25, 2000

An act to amend Section 13340 of, and to add Sections 29145 and 43402 to, the Government Code, to amend Sections 10752, 10753.1, 10753.2, and 10753.9 of, and to add Sections 225 and 11006 to, the Revenue and Taxation Code, and to amend Sections 260, 4000, 4004, 4150.1, 4458, 5000, 5011, 5014, 5015, 5016, 5017, 5101, 5103, 5106, 5108, 5204, 5301, 5302, 5305, 5902, 8000, 8054, 9250.7, 9250.8, 9250.10, 9250.13, 9250.14, 9250.19, 9260, 9261, 9400, 9406, 9408, 36010, and 36109 of, and to add Sections 288, 289, 468, 4000.6, 5014.1, 9400.1, 9406.1, 9554.2, 27910, and 42030.1 to, and to repeal Sections 6851 and 6851.5 of, and to amend and renumber Section 390 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 2084, as amended, Polanco. Vehicles: fees.

(1) The Vehicle License Fee Law provides that the annual amount of the license fee for any vehicle is 2% of the market value of the vehicle, as specified. Also, provisions of existing law provide that the Legislature shall reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

The California Constitution authorizes the Legislature to classify personal property for differential taxation or for exemption by means of a statute approved by a $\frac{2}{3}$ vote of the membership of each house.

This bill would enact the Commercial Vehicle Registration Act of 2001 (the act). The bill would remove trailers and semitrailers from the Vehicle License Fee Law. Pursuant to this constitutional authorization, this bill would exempt from personal property taxation, a commercial motor vehicle or commercial trailer or semitractor, as specified.

(2) Existing law prohibits a person from driving, moving, or leaving standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, logging dolly, or auxiliary dolly unless it is registered and the appropriate fees have been paid under the Vehicle Code.

This bill would require that any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight, as defined, that exceeds 10,000 pounds be registered with the department. This bill would require a person submitting an application for registration of a commercial motor vehicle to declare the combined gross weight of all units when applying for registration with the department. The bill would also require the commercial motor vehicle's registered owner or the owner's designee to complete a form provided by the department and to be issued a license plate.

(3) Existing law provides that a fleet owner may make a certain declaration on a single form for all commercial motor vehicles registered in the fleet owner's name.



This bill would delete fleet owners from this provision and instead make the provision applicable to registered owners, lessors, or designees.

(4) Existing law provides for the issuance of identification plates for certain vehicles, including tow dollies.

The bill would delete tow dollies from that identification plates program and other provisions.

The bill would require, upon the implementation of the permanent trailer identification plate program, which shall commence on December 31, 2001, that specified trailers, including tow dollies, be assigned permanent trailer identification plates and be issued an identification certificate which shall be available for inspection by a peace officer. This bill would require the department to assess a service fee, not to exceed \$20, upon assigning a permanent trailer identification plate. This bill would require that an applicant for renewal of permanent trailer identification plates pay a \$25 annual fee. The bill would make corresponding changes.

(5) Under existing law, the registered owner or lessee of a fleet of vehicles consisting of motor vehicles or commercial trailers, as specified, or passenger automobiles is authorized to apply to the department for permanent license plates or decals and registration cards.

This bill would delete commercial trailers from that program, would limit the program to motor vehicles, would allow participation in the program to continue in the program for 5 years after implementation of the act even though those participants are out of compliance with the act, and would make related changes.

(6) Existing law allows the Reciprocity Commission to enter into agreements that provide exemption of regulatory fees that are, or may be imposed, by the Public Utilities Commission.

This bill would include regulatory fees that are, or may be imposed, by the department within the above provision.

(7) Existing law requires an application for a transfer of registration of commercial motor vehicles, as specified, to include a specified declaration by the owner to the department.

This bill would require, additionally, that an application for a transfer of a commercial motor vehicle that exceeds 10,000 pounds declared gross vehicle weight, include a notification, made by the new registered owner, or that owner's designee, of the declared gross vehicle weight of the commercial motor vehicle, singly or in combination.

(8) Existing law requires the department, upon the application for transfer of ownership of a fleet of vehicles apportionately registered to permit registration in the new owners name without reassessing the registration, weight, and vehicle license fees, if the application of the new ownership is for the same fleet interstate operation as the previous owner.

This bill would require the new owner, lessee, or their designee, to certify the declared gross vehicle weight of the vehicle or vehicles on a single form for all commercial motor vehicles registered in the fleet owner's or lessee's name and would impose related duties on the department.

(9) Existing law authorizes local governments to impose additional registration or renewal registration fees on vehicles, as specified.

This bill would exempt trailers and semitrailers from these provisions and would impose those additional fees on the owners of all commercial motor vehicles, as specified.

(10) Under existing law, the fee for a foreign trip permit issued for a commercial trailer meeting the registration requirements of a foreign jurisdiction is \$5.

This bill would delete that fee.

(11) Existing law requires, in addition to any other registration fee, the payment of fees for the registration of any commercial vehicle based on its unladen weight.

This bill would set forth an additional schedule. The existing schedule, as revised, would apply to any commercial vehicle singly, or in combination, that operates with ~~a declared gross~~ *an unladen* vehicle weight of 10,000 pounds or less, including pickup trucks. The new schedule of fees would apply to the registration of commercial motor vehicles, operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more. The new schedule would not include pickup truck weight fees. The bill would revise the

definition of “farm trailers” to conform to the weight changes made by the bill.

The bill provides a schedule of fines for persons who violate any declared gross vehicle weight limitations provided for in the bill.

The bill would require that, upon the operation of a commercial motor vehicle at a greater gross vehicle weight than had been reported to and registered by the department, a new registration application be made to the department.

(12) The bill would require the Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, to provide, on or before an unspecified date, recommendations to the Legislature for actions to be taken to ensure compliance with the provisions of the bill.

(13) The bill would require the Department of Motor Vehicles, in consultation with the Department of the California Highway Patrol, the Department of Transportation, the Board of Equalization, and the commercial vehicle industry, to review and report on or before January 1, 2003, and annually thereafter, to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds. This bill would require the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, to recalculate the distribution of motor vehicle license fees paid by commercial vehicles pursuant to the gross vehicle weight fee schedule and transfer those sums, as specified. This bill would provide that the scheduled disbursement of motor vehicle license fee revenues is not subject to the existing law limitation that General Fund revenues may not be continuously appropriated beyond a certain date. This bill would create special funds in the General Fund which would be continuously appropriated for allocation to each county, city, and city and county in the same manner as those funds were received pursuant to specified provisions of the Vehicle

License Fee Law. The bill would appropriate \$3,520,809 to the Department of Motor Vehicles from the Motor Vehicle Account in the State Transportation Fund for purposes of implementing the bill.

Because violations of certain of the above fee, weight, and declaration requirements would be a crime under existing law, the bill would impose a state-mandated local program by creating new crimes.

(14) This bill would incorporate additional changes in Section 5101 of the Vehicle Code proposed by AB 1515, to be operative only if this bill and AB 1515 are enacted and become effective on or before January 1, 2001, each bill amends Section 5101 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 5103 of the Vehicle Code proposed by AB 1515, to be operative only if this bill and AB 1515 are enacted and become effective on or before January 1, 2001, each bill amends Section 5103 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9250.7 of the Vehicle Code proposed by SB 1333, to be operative only if this bill and SB 1333 are enacted and become effective on or before January 1, 2001, each bill amends Section 9250.7 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9250.14 of the Vehicle Code proposed by AB 2227, to be operative only if this bill and AB 2227 are enacted and become effective on or before January 1, 2001, each bill amends Section 9250.14 of the Vehicle Code, and this bill is enacted last.

This bill would incorporate additional changes in Section 9400 of the Vehicle Code proposed by AB 2749, to be operative only if this bill and AB 2749 are enacted and become effective on or before January 1, 2001, each bill amends Section 9400 of the Vehicle Code, and this bill is enacted last.

(15) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.



(16) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares
2 that it is necessary to convert California's system of
3 commercial vehicle registration from an unladen weight
4 system to a gross vehicle weight system and to initiate a
5 permanent trailer identification program. Furthermore,
6 it is the intent of the Legislature that this conversion be
7 revenue neutral to all cities and counties and all unladen
8 weight fee system recipients.

9 (b) For the purposes of this act, "revenue neutrality"
10 requires that all recipients of the fees collected under the
11 system in effect on December 31, 2000, shall receive the
12 same level of funding, with the same degree of flexibility,
13 after the conversion to the system created by this act.

14 (c) This act shall be known, and may be cited as, the
15 Commercial Vehicle Registration Act of 2001.

16 SEC. 2. Section 13340 of the Government Code is
17 amended to read:

18 13340. (a) Except as provided in subdivision (b), on
19 and after July 1, 2001, no moneys in that fund that, by any
20 statute other than a Budget Act, is continuously
21 appropriated without regard to fiscal years, may be
22 encumbered unless the Legislature, by statute, specifies
23 that the moneys in the fund are appropriated for
24 encumbrance.

25 (b) Subdivision (a) does not apply to any of the
26 following:

27 (1) The scheduled disbursement of any local sales and
28 use tax proceeds to an entity of local government
29 pursuant to Part 1.5 (commencing with Section 7200) of
30 Division 2 of the Revenue and Taxation Code.

31 (2) The scheduled disbursement of any transactions
32 and use tax proceeds to an entity of local government

1 pursuant to Part 1.6 (commencing with Section 7251) of
2 Division 2 of the Revenue and Taxation Code.

3 (3) The scheduled disbursement of any funds by a
4 state or local agency or department that issues bonds and
5 administers related programs for which funds are
6 continuously appropriated as of June 30, 2001.

7 (4) Moneys that are deposited in proprietary or
8 fiduciary funds of the California State University and that
9 are continuously appropriated without regard to fiscal
10 years.

11 (5) The scheduled disbursement of any motor vehicle
12 license fee revenues, including the General Fund
13 appropriations made pursuant to Sections 11000 and
14 11000.1 of the Revenue and Taxation Code, to an entity
15 of local government pursuant to the Vehicle License Fee
16 Law (Part 5 (commencing with Section 10701) of
17 Division 2 of the Revenue and Taxation Code).

18 (6) The scheduled disbursement of any motor vehicle
19 license fee revenues, including the General Fund
20 appropriations made pursuant to Sections 11006 of the
21 Revenue and Taxation Code, to an entity of local
22 government pursuant to the Vehicle License Fee Law
23 (Part 5 (commencing with Section 10701) of Division 2 of
24 the Revenue and Taxation Code).

25 (7) The scheduled disbursement of moneys made
26 pursuant to Section 29145.

27 (8) The scheduled disbursement of moneys made
28 pursuant to Section 43402.

29 SEC. 3. Section 29145 is added to the Government
30 Code, to read:

31 29145. (a) Commencing on December 31, 2001, the
32 County Successor to Vehicle License Fee Resulting From
33 IRP Conformity Account is hereby created as a special
34 fund in the General Fund. All money in the County
35 Successor to Vehicle License Fee Resulting From IRP
36 Conformity Account is hereby continuously
37 appropriated, without regard to fiscal years, to the
38 Controller for allocation in accordance with subdivision
39 (c).

40 (b) All of the following shall occur on a quarterly basis:

1 (1) The Department of Motor Vehicles, in
2 consultation with the Department of Finance, shall
3 estimate the revenues that represent the amount of
4 vehicle license fees which would be paid by trailers and
5 semitrailers pursuant to the Vehicle License Fee Law
6 (Part 5 (commencing with Section 10701) of Division 2 of
7 the Revenue and Taxation Code) had Sections 5014.1 and
8 9400.1 of the Vehicle Code not been enacted, which
9 would be allocated to a county or city and county
10 pursuant to subdivision (d) of Section 11006 of the
11 Revenue and Taxation Code.

12 (2) The Department of Motor Vehicles shall inform
13 the Controller, in writing, of the amount estimated under
14 paragraph (1).

15 (c) The Controller shall then transfer from the
16 General Fund, on a quarterly basis to each county,
17 including a city and county, from the total sums
18 computed pursuant to subdivision (b) an amount which
19 represents the total population of that county bears to the
20 total population of all the counties in the state, as
21 determined pursuant to subdivision (d) of Section 11005
22 of the Revenue and Taxation Code.

23 (d) Funds received by any county, or city and county
24 pursuant to this section may be used by that county, or
25 city and county in the same manner as if those funds were
26 received pursuant to the provisions of subdivision (e) of
27 Section 11005 of the Revenue and Taxation Code.

28 SEC. 4. Section 43402 is added to the Government
29 Code, to read:

30 43402. (a) Commencing on December 31, 2001, the
31 City Successor to Vehicle License Fee Resulting From
32 IRP Conformity Account is hereby created as a special
33 fund in the General Fund. All money in the City
34 Successor to Vehicle License Fee Resulting From IRP
35 Conformity Account is hereby continuously
36 appropriated, without regard to fiscal years, to the
37 Controller for allocation in accordance with subdivision
38 (c).

39 (b) All of the following shall occur on a quarterly basis:

1 (1) The Department of Motor Vehicles, in
2 consultation with the Department of Finance, shall
3 estimate the revenues that represent the amount of
4 vehicle license fees which would be paid by trailers and
5 semitrailers pursuant to the Vehicle License Fee Law
6 (Part 5 (commencing with Section 10701) of Division 2 of
7 the Revenue and Taxation Code) had Sections 5014.1 and
8 9400.1 of the Vehicle Code not been enacted, which
9 would be allocated to a city or city and county pursuant
10 to subdivision (c) of Section 11005 of the Revenue and
11 Taxation Code.

12 (2) The Department of Motor Vehicles shall inform
13 the Controller, in writing, of the amount estimated under
14 paragraph (1).

15 (c) The Controller shall then transfer from the
16 General Fund, on a quarterly basis to each city, including
17 a city and county, from the total sums computed pursuant
18 to subdivision (b) an amount that represents the total
19 population of that city bears to the total population of all
20 the cities in the state, as determined pursuant to
21 subdivision (d) of Section 11005 of the Revenue and
22 Taxation Code.

23 (d) Funds received by any city pursuant to this section
24 may be used by that city, or city and county in the same
25 manner as if those funds were received pursuant to the
26 provisions of subdivision (e) of Section 11005 of the
27 Revenue and Taxation Code.

28 SEC. 5. Section 225 is added to the Revenue and
29 Taxation Code, to read:

30 225. A trailer or semitrailer that has a valid
31 identification plate issued to it pursuant to Section 5014.1
32 of the Vehicle Code is exempt from personal property
33 taxation.

34 SEC. 6. Section 10752 of the Revenue and Taxation
35 Code is amended to read:

36 10752. The annual amount of the license fee for any
37 vehicle, other than a trailer or semitrailer or a trailer
38 coach that is required to be moved under permit as
39 authorized in Section 35790 of the Vehicle Code, shall be

1 a sum equal to 2 percent of the market value of the
2 vehicle as determined by the department.

3 SEC. 7. Section 10753.1 of the Revenue and Taxation
4 Code is amended to read:

5 10753.1. (a) After determining the cost price to the
6 purchaser, as provided in this article, the department
7 shall classify or reclassify every vehicle in its proper class
8 according to the classification plan set forth in this section.

9 (b) For the purpose of this part, a classification plan is
10 established consisting of the following classes: a class from
11 zero dollars (\$0) to and including forty-nine dollars and
12 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
13 to and including one hundred ninety-nine dollars and
14 ninety-nine cents (\$199.99); and, thereafter, a series of
15 classes successively set up in brackets having a spread of
16 two hundred dollars (\$200), consisting of that number of
17 classes as will permit classification of all vehicles.

18 (c) The market value of a vehicle, other than a trailer
19 or semitrailer, for each registration year, starting with the
20 year the vehicle was first sold to a consumer as a new
21 vehicle, or the year the vehicle was first purchased or
22 assembled by the person applying for original registration
23 in this state, or the year the vehicle was sold to the current
24 registered owner as a used vehicle, shall be as follows: for
25 the first year, 85 percent of a sum equal to the middle
26 point between the extremes of its class as established in
27 subdivision (b); for the second year, 85 percent of that
28 sum; for the third year, 70 percent of that sum; for the
29 fourth year, 55 percent of that sum; for the fifth year, 40
30 percent of that sum; for the sixth year, 30 percent of that
31 sum; for the seventh year, 25 percent of that sum; for the
32 eighth year, 15 percent of that sum; for the ninth year, 10
33 percent of that sum; and for the 10th year and each
34 succeeding year, 5 percent of that sum; provided,
35 however, that the minimum tax shall be the sum of one
36 dollar (\$1). Notwithstanding this subdivision, the market
37 value of a trailer coach first sold on and after January 1,
38 1966, which is required to be moved under permit as
39 authorized in Section 35790 of the Vehicle Code, shall be
40 determined by the schedule in Section 10753.3.

1 (d) This section shall become operative on the first day
2 of the month following the month in which the
3 Department of Motor Vehicles is notified by the
4 Department of Finance of a final judicial determination
5 by the California Supreme Court or any California court
6 of appeal of either of the following:

7 (1) The allocation of funds from the Vehicle License
8 Fee Account or the Vehicle License Fee Growth Account
9 of the Local Revenue Fund established during the
10 1991–92 Regular Session is in violation of Section 15 of
11 Article XI of the California Constitution.

12 (2) The state is obligated to reimburse counties for
13 costs of providing medical services to medically indigent
14 adults pursuant to Chapters 328 and 1594 of the Statutes
15 of 1982.

16 SEC. 8. Section 10753.2 of the Revenue and Taxation
17 Code is amended to read:

18 10753.2. (a) After determining the cost price to the
19 purchaser, as provided in this article, the department
20 shall classify or reclassify every vehicle, other than a
21 trailer or semitrailer, in its proper class according to the
22 classification plan set forth in this section.

23 (b) For the purpose of this part, a classification plan is
24 established consisting of the following classes: a class from
25 zero dollars (\$0) to and including forty-nine dollars and
26 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
27 to and including one hundred ninety-nine dollars and
28 ninety-nine cents (\$199.99); and thereafter a series of
29 classes successively set up in brackets having a spread of
30 two hundred dollars (\$200), consisting of a number of
31 classes that will permit classification of all vehicles.

32 (c) The market value of a vehicle, other than a trailer
33 or semitrailer, for each registration year, starting with the
34 year the vehicle was first sold to a consumer as a new
35 vehicle, or the year the vehicle was first purchased or
36 assembled by the person applying for original registration
37 in this state, or the year the vehicle was sold to the current
38 registered owner as a used vehicle, shall be as follows: for
39 the first year, 100 percent of a sum equal to the middle
40 point between the extremes of its class as established in

1 subdivision (b); for the second year, 90 percent of that
2 sum; for the third year, 80 percent of that sum; for the
3 fourth year, 70 percent of that sum; for the fifth year, 60
4 percent of that sum; for the sixth year, 50 percent of that
5 sum; for the seventh year, 40 percent of that sum; for the
6 eighth year, 30 percent of that sum; for the ninth year, 25
7 percent of that sum; and for the 10th year, 20 percent of
8 that sum; and for the 11th year and each succeeding year,
9 15 percent of that sum; provided, however, that the
10 minimum tax shall be the sum of one dollar (\$1).
11 Notwithstanding this subdivision, the market value of a
12 trailer coach first sold on and after January 1, 1966, which
13 is required to be moved under permit as authorized in
14 Section 35790 of the Vehicle Code, shall be determined by
15 the schedule in Section 10753.3.

16 (d) This section shall cease to be operative on the first
17 day of the month following the month in which the
18 Department of Motor Vehicles is notified by the
19 Department of Finance of a final judicial determination
20 by the California Supreme Court or any California court
21 of appeal of either of the following:

22 (1) The allocation of funds from the Vehicle License
23 Fee Account or the Vehicle License Fee Growth Account
24 of the Local Revenue Fund established during the
25 1991–92 Regular Session is in violation of Section 15 of
26 Article XI of the California Constitution.

27 (2) The state is obligated to reimburse counties for
28 costs of providing medical services to medically indigent
29 adults pursuant to Chapters 328 and 1594 of the Statutes
30 of 1982.

31 SEC. 9. Section 10753.9 of the Revenue and Taxation
32 Code is amended to read:

33 10753.9. (a) After determining the cost price to the
34 purchaser, as provided in this article, the department
35 shall classify or reclassify every vehicle, other than a
36 trailer or semitrailer, in its proper class according to the
37 classification plan set forth in this section.

38 (b) For the purpose of this part, a classification plan is
39 established consisting of the following classes: a class from
40 zero dollars (\$0) to and including forty-nine dollars and

1 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
2 to and including one hundred ninety-nine dollars and
3 ninety-nine cents (\$199.99); and thereafter a series of
4 classes successively set up in brackets having a spread of
5 two hundred dollars (\$200), consisting of that number of
6 classes as will permit classification of all vehicles.

7 (c) The market value of a vehicle, other than a trailer
8 or semitrailer, for each registration year, starting with the
9 year the vehicle was first sold to a consumer as a new
10 vehicle, or the year the vehicle was first purchased or
11 assembled by the person applying for original registration
12 in this state, or the year ownership of a used vehicle was
13 sold or transferred to the current registered owner, shall
14 be as follows: for the first year, 85 percent of a sum equal
15 to the middle point between the extremes of its class as
16 established in subdivision (b); for the second year, 85
17 percent of that sum; for the third year, 70 percent of that
18 sum; for the fourth year, 55 percent of that sum; for the
19 fifth year, 40 percent of that sum; for the sixth year, 30
20 percent of that sum; for the seventh year, 25 percent of
21 that sum; for the eighth year, 15 percent of that sum; for
22 the ninth year, 10 percent of that sum; for the 10th year
23 and each succeeding year, 5 percent of that sum;
24 provided, however, that the minimum tax shall be the
25 sum of one dollar (\$1). Notwithstanding this subdivision,
26 the market value of a trailer coach first sold on and after
27 January 1, 1966, which is required to be moved under
28 permit as authorized in Section 35790 of the Vehicle
29 Code, shall be determined by the schedule in Section
30 10753.3.

31 (d) This section shall become operative and shall apply
32 to both of the following:

33 (1) Initial or original registration of any vehicle never
34 before registered in this state for which fees become due
35 on July 15, 1991, and on or before July 31, 1991.

36 (2) Renewal of registration of any vehicle whose
37 registration expires on or before July 31, 1991.

38 SEC. 10. Section 11006 is added to the Revenue and
39 Taxation Code, to read:

1 11006. (a) Commencing on December 31, 2001, the
2 Controller, in consultation with the Department of Motor
3 Vehicles and the Department of Finance, shall
4 recalculate the distribution of the amount of motor
5 vehicle license fees paid by commercial vehicles that are
6 subject to Section 9400.1 of the Vehicle Code and transfer
7 those sums as follows in the following order:

8 (1) An amount sufficient to cover all allocations and
9 interception of funds associated with all pledges, liens,
10 encumbrances and priorities as set forth in Section
11 25350.6 of the Government Code, which shall be
12 transferred so as to pay that allocation.

13 (2) An amount sufficient to continue allocations to the
14 State Treasury to the credit of the Vehicle License Fee
15 Account of the Local Revenue Fund, as established
16 pursuant to Section 17600 of the Welfare and Institutions
17 Code, which would be in the same amount had the
18 amendments made to Section 10752 of the Revenue and
19 Taxation Code made by the act that added this section
20 had not been enacted, which shall be deposited in the
21 State Treasury to the credit of the Vehicle License Fee
22 Account Local Revenue Fund of the Local Revenue
23 Fund, as established pursuant to Section 17600 of the
24 Welfare and Institutions Code.

25 (3) An amount sufficient to continue allocations to the
26 State Treasury to the credit of the Vehicle License Fee
27 Growth Account of the Local Revenue Fund, as
28 established pursuant to Section 17604 of the Welfare and
29 Institutions Code, which would be in the same amount
30 had the amendments made to Section 10752 of the
31 Revenue and Taxation Code made by the act that added
32 this section had not been enacted, which shall be
33 deposited in the State Treasury to the credit of the
34 Vehicle License Fee Growth Account of the Local
35 Revenue Fund, as established pursuant to Section 17604
36 of the Welfare and Institutions Code.

37 (4) An amount sufficient to cover all allocations and
38 interception of funds associated with all pledges, liens,
39 encumbrances and priorities, other than those referred to
40 in paragraph (1), as set forth in Section 25350 and

1 following of, Section 53584 and following of, 5460 and
2 following of, the Government Code, which shall be
3 transferred so as to pay those allocations.

4 (b) The balance of any funds not otherwise allocated
5 pursuant to subdivision (a) shall continue to be deposited
6 to the credit of the Motor Vehicle License Fee Account
7 in the Transportation Tax Fund and allocated to each city,
8 county, and city and county as otherwise provided by law.

9 (c) In enacting paragraphs (1) and (4) of subdivision
10 (a), the Legislature declares that paragraphs (1) and (4)
11 of subdivision (a), shall not be construed to obligate the
12 State of California to make any payment to a city, city and
13 county, or county from the Motor Vehicle License Fee
14 Account in the Transportation Tax Fund in any amount
15 or pursuant to any particular allocation formula, or to
16 make any other payment to a city, city and county, or
17 county, including, but not limited to, any payment in
18 satisfaction of any debt or liability incurred or so
19 guaranteed if the State of California had not so bound
20 itself prior to the enactment of this section.

21 SEC. 11. Section 260 of the Vehicle Code is amended
22 to read:

23 260. (a) A “commercial vehicle” is a motor vehicle of
24 a type required to be registered under this code used or
25 maintained for the transportation of persons for hire,
26 compensation, or profit or designed, used, or maintained
27 primarily for the transportation of property.

28 (b) Passenger vehicles which are not used for the
29 transportation of persons for hire, compensation, or profit
30 and housecars are not commercial vehicles. This
31 subdivision shall not apply to Chapter 4 (commencing
32 with Section 6700) of Division 3.

33 (c) Any vanpool vehicle is not a commercial vehicle.

34 (d) The definition of a commercial vehicle in this
35 section does not apply to Chapter 7 (commencing with
36 Section 15200) of Division 6.

37 SEC. 12. Section 288 is added to the Vehicle Code, to
38 read:

39 288. “Declared combined gross weight” equals the
40 total unladen weight of the combination of vehicles plus

1 the heaviest load that will be transported by that
2 combination of vehicles.

3 SEC. 13. Section 289 is added to the Vehicle Code, to
4 read:

5 289. “Declared gross vehicle weight” means weight
6 that equals the total unladen weight of the vehicle plus
7 the heaviest load that will be transported on the vehicle.

8 SEC. 14. Section 390 of the Vehicle Code is amended
9 and renumbered to read:

10 350. (a) “Gross vehicle weight rating” (GVWR)
11 means the weight specified by the manufacturer as the
12 loaded weight of a single vehicle.

13 (b) Gross combination weight rating (GCWR) means
14 the weight specified by the manufacturer as the loaded
15 weight of a combination or articulated vehicle. In the
16 absence of a weight specified by the manufacturer,
17 GCWR shall be determined by adding the GVWR of the
18 power unit and the total unladen weight of the towed
19 units and any load thereon.

20 SEC. 15. Section 468 is added to the Vehicle Code, to
21 read:

22 468. The department shall commence the
23 “permanent trailer identification plate program,” on or
24 after December 31, 2001, and may designate the method,
25 consistent with this code, to be used by trailers, as defined
26 in Section 5014.1, to receive an assigned permanent
27 trailer identification plate for all trailers, except for trailer
28 coaches and park trailers as described in subdivision (b)
29 of Section 18010 of the Health and Safety Code, for
30 identification purposes. An auxiliary dolly or tow dolly
31 may be assigned a permanent trailer identification plate.
32 The plate shall be in a size and design as determined by
33 the department.

34 SEC. 16. Section 4000 of the Vehicle Code is amended
35 to read:

36 4000. (a) (1) No person shall drive, move, or leave
37 standing upon a highway, or in an offstreet public parking
38 facility, any motor vehicle, trailer, semitrailer, pole or
39 pipe dolly, or logging dolly, unless it is registered and the
40 appropriate fees have been paid under this code or

1 registered under the permanent trailer identification
2 program, except that an off-highway motor vehicle which
3 displays an identification plate or device issued by the
4 department pursuant to Section 38010 may be driven,
5 moved, or left standing in an offstreet public parking
6 facility without being registered or paying registration
7 fees.

8 (2) For purposes of this subdivision, “offstreet public
9 parking facility” means either of the following:

10 (A) Any publicly owned parking facility.

11 (B) Any privately owned parking facility for which no
12 fee for the privilege to park is charged and which is held
13 open for the common public use of retail customers.

14 (3) This subdivision does not apply to any motor
15 vehicle stored in a privately owned offstreet parking
16 facility by, or with the express permission of, the owner
17 of the privately owned offstreet parking facility.

18 (b) No person shall drive, move, or leave standing
19 upon a highway any motor vehicle, as defined in Chapter
20 2 (commencing with Section 39010) of Part 1 of Division
21 26 of the Health and Safety Code, which has been
22 registered in violation of Part 5 (commencing with
23 Section 43000) of that Division 26.

24 (c) Subdivisions (a) and (b) do not apply to
25 off-highway motor vehicles operated pursuant to Sections
26 38025 and 38026.5.

27 (d) This section does not apply, following payment of
28 fees due for registration, during the time that registration
29 and transfer is being withheld by the department
30 pending the investigation of any use tax due under the
31 Revenue and Taxation Code.

32 (e) Subdivision (a) does not apply to a vehicle that is
33 towed by a tow truck on the order of a sheriff, marshal,
34 or other official acting pursuant to a court order or on the
35 order of a peace officer acting pursuant to this code.

36 (f) Subdivision (a) applies to a vehicle that is towed
37 from a highway or offstreet parking facility under the
38 direction of a highway service organization when that
39 organization is providing emergency roadside assistance
40 to that vehicle. However, the operator of a tow truck

1 providing that assistance to that vehicle is not responsible
2 for the violation of subdivision (a) with respect to that
3 vehicle. The owner of an unregistered vehicle that is
4 disabled and located on private property, shall obtain a
5 permit from the department pursuant to Section 4003
6 prior to having the vehicle towed on the highway.

7 (g) For purposes of this section, possession of a
8 California driver's license by the registered owner of a
9 vehicle shall give rise to a rebuttable presumption that
10 the owner is a resident of California.

11 SEC. 17. Section 4000.6 is added to the Vehicle Code,
12 to read:

13 4000.6. Any commercial motor vehicle, singly or in
14 combination, that operates with a declared gross vehicle
15 weight that exceeds 10,000 pounds shall be registered
16 pursuant to Section 9400.1.

17 (a) A person submitting an application for registration
18 of a commercial motor vehicle operated in combination
19 with a semitrailer, trailer, or any combination thereof,
20 shall include the declared combined gross weight of all
21 units when applying for registration with the
22 department.

23 (b) This section does not apply to pickups nor to any
24 commercial motor vehicle or combination that does not
25 exceed 10,000 pounds gross vehicle weight.

26 (c) Any peace officer, as defined in Chapter 4.5
27 (commencing with Section 830) of Title 3 of Part 2 of the
28 Penal Code, having reason to believe that a motor
29 vehicle, singly or in combination, is being operated in
30 excess of its registered declared gross vehicle weight, may
31 require the driver to stop and submit to an inspection or
32 weighing of the vehicle or vehicles and an inspection of
33 registration documents.

34 SEC. 18. Section 4004 of the Vehicle Code is amended
35 to read:

36 4004. (a) (1) Commercial motor vehicles meeting
37 the registration requirements of a foreign jurisdiction,
38 and subject to registration but not entitled to exemption
39 from registration or licensing under any of the provisions
40 of this code or any agreements, arrangements, or

1 declarations made under Article 3 (commencing with
2 Section 8000) of Chapter 4, may, as an alternate to
3 registration, secure a temporary registration to operate in
4 this state for a period of not to exceed 90 days, or a trip
5 permit to operate in this state for a period of four
6 consecutive days.

7 (2) Each trip permit shall authorize the operation of
8 a single commercial motor vehicle for a period of not
9 more than four consecutive days, commencing with the
10 day of first use and three consecutive days thereafter.
11 Every permit shall identify, as the department may
12 require, the commercial motor vehicle for which it is
13 issued. Each trip permit shall be completed prior to
14 operation of the commercial motor vehicle on any
15 highway in this state and shall be carried in the
16 commercial motor vehicle to which it applies and shall be
17 readily available for inspection by a peace officer. Each
18 permit shall be valid at the time of inspection by a peace
19 officer only if it has been completed as required by the
20 department and has been placed in the appropriate
21 receptacle as required by this section. It is unlawful for
22 any person to fail to comply with the provisions of this
23 section.

24 (b) The privilege of securing and using a trip permit
25 or a temporary registration not to exceed 90 days shall not
26 extend to the following:

27 (1) Any vehicle which is based within this state and
28 which is operated by a person having an established place
29 of business within this state. For purposes of this
30 paragraph, a commercial motor vehicle shall be
31 considered to be based in this state if it is primarily
32 operated or dispatched from or principally garaged or
33 serviced or maintained at a site with an address within
34 this state.

35 (2) Vehicles registered in any jurisdiction with which
36 the State of California does not have vehicle licensing
37 reciprocity, unless the Reciprocity Commission extends
38 the privilege, by rule, after hearing.

39 (c) The temporary registration or trip permit
40 authorized pursuant to this section shall include the diesel

1 fuel permit number issued by the State Board of
2 Equalization. Any temporary registration or trip permit
3 for a diesel power unit which does not include this
4 information shall be invalid and shall subject the operator
5 to citation for violation of subdivision (a) of Section 4000.
6 All fees for registration of commercial motor vehicles
7 shall be due upon the issuance of a citation, unless the
8 person in whose name the permit was issued can produce
9 proof of issuance of a California fuel tax permit prior to
10 the date of the violation.

11 (d) Any trailer or semitrailer identified in paragraph
12 (1) of subdivision (a) of Section 5014.1 that enters the
13 state without a currently valid license plate issued by
14 California or another jurisdiction shall be immediately
15 subject to full identification fees as specified in
16 subdivision (e) of Section 5014.1.

17 SEC. 19. Section 4150.1 of the Vehicle Code is
18 amended to read:

19 4150.1. (a) (1) In addition to the requirements of
20 Section 4150, application for the original registration of a
21 commercial motor vehicle specified in Section 34500 shall
22 include a declaration, made by the owner to the
23 department upon the appropriate form furnished by it,
24 that the owner is aware of the applicable motor carrier
25 safety regulations adopted by the Department of the
26 California Highway Patrol pursuant to Section 34501.

27 (2) The registered owner, lessee, or designee may
28 make this declaration on a single form for all commercial
29 motor vehicles registered in the registered owner's name.

30 (b) (1) On a form provided by the department, the
31 registered owner of record, lessee, or the owner's
32 designee shall certify and report the declared gross
33 vehicle weight of any commercial motor vehicle, singly
34 or in combination, in excess of 10,000 pounds declared
35 gross vehicle weight.

36 (2) A single form may be used or referenced for
37 multiple vehicles of like declared gross vehicle weight.

38 SEC. 20. Section 4458 of the Vehicle Code is amended
39 to read:

1 4458. If both license plates or a permanent trailer
2 identification plate are lost by or stolen from the
3 registered owner, the registered owner shall immediately
4 notify a law enforcement agency, and shall immediately
5 apply to the department for new plates in lieu of the
6 plates stolen or lost. The department shall in every proper
7 case, except in the case of plates which are exempt from
8 fees, cause to be issued applicable license plates of a
9 different number and assign the registration number to
10 the vehicle for which the plates are issued.

11 SEC. 21. Section 5000 of the Vehicle Code is amended
12 to read:

13 5000. (a) Identification plates issued for trailers,
14 semitrailers, motor-driven cycles, and pole and pipe
15 dollies, and such vehicles as are exempt from the payment
16 of registration fees under this code shall display suitable
17 distinguishing marks or symbols, and the registration
18 numbers assigned to each class of vehicles shall run in a
19 separate numerical series, except that registration
20 numbers assigned to vehicles exempt from the payment
21 of registration fees may run in several separate numerical
22 series.

23 (b) Vehicles subject to Sections 9400 and 9400.1 shall
24 be issued license plates with suitable distinguishing marks
25 or symbols distinguishing them from other license plates
26 issued.

27 (c) Vehicles subject to Section 5014.1 shall be issued
28 permanent identification plates with suitable
29 distinguishing marks or symbols that distinguish them
30 from other license plates.

31 SEC. 22. Section 5011 of the Vehicle Code is amended
32 to read:

33 5011. (a) Every piece of special construction
34 equipment, special mobile equipment, cemetery
35 equipment, every tow dolly, trailer, semitrailer, and
36 every logging vehicle shall display an identification plate
37 issued pursuant to Section 5014.

38 (b) Effective January 1, 1986, all existing identification
39 plates are canceled. Owners of vehicles specified in

1 subdivision (a) shall apply for identification plates
2 pursuant to Section 5014 or 5016.5.

3 SEC. 23. Section 5014 of the Vehicle Code is amended
4 to read:

5 5014. An application by a person other than a
6 manufacturer or dealer for an identification plate for
7 special construction equipment, cemetery equipment,
8 special mobile equipment, logging vehicle, cotton trailer,
9 or farm trailer as specified in Section 36109, a vehicle that
10 is farmer-owned and used as provided in subdivision (b)
11 of Section 36101, a motor vehicle which is farmer-owned
12 and operated and used as provided in subdivision (a) of
13 Section 36101, an automatic bale wagon operated as
14 specified in subdivision (a) or (b) of Section 36102, or a
15 farm trailer that is owned, rented, or leased by a farmer
16 and is operated and used as provided in subdivision (b)
17 of Section 36010, shall include the following:

18 (a) The true, full name and the driver's license or
19 identification card number, if any, of the owner.

20 (b) A statement by the owner of the use or uses which
21 he or she intends to make of the equipment.

22 (c) A description of the vehicle, including any
23 distinctive marks or features.

24 (d) A photograph of the vehicle. Only one photograph
25 of one piece of equipment shall be required to be
26 attached to the application when identification plates are
27 to be obtained for more than one piece of equipment,
28 each of which is of the same identical type.

29 (e) Other information as may reasonably be required
30 by the department to determine whether the applicant
31 is entitled to be issued an identification plate.

32 (f) A service fee of seven dollars (\$7) for each vehicle.
33 The plates shall be renewed between January 1 and
34 February 4 every five calendar years, commencing in
35 1986. Any part of the year of the first application
36 constitutes a calendar year. An application for renewal of
37 an identification plate shall contain a space for the
38 applicant's driver's license or identification card number,
39 and the applicant shall furnish that number, if any, in the
40 space provided.

1 SEC. 24. Section 5014.1 is added to the Vehicle Code,
2 to read:

3 5014.1. (a) Upon the implementation of the
4 permanent trailer identification plate program, the
5 following applies:

6 (1) All trailers will receive an identification certificate
7 upon conversion to the permanent trailer identification
8 program. The following trailers, except as provided in
9 Section 5101, may be assigned a trailer identification plate
10 by the department in accordance with this section or an
11 election may be made to keep the current plate on the
12 expiration date of registration:

13 (A) Logging dolly.

14 (B) Pole or pipe dolly.

15 (C) Semitrailer.

16 (D) Trailer.

17 (E) Trailer bus.

18 (2) An auxiliary dolly or tow dolly may be assigned a
19 permanent trailer identification plate.

20 (3) Trailer coaches and park trailers, as described in
21 subdivision (b) of Section 18010 of the Health and Safety
22 Code, are exempted from the permanent trailer
23 identification plate program.

24 (b) The permanent trailer identification plate shall be
25 in a size and design as determined by the department.

26 (c) The permanent trailer identification plate shall
27 not expire.

28 (d) Upon sale or transfer of the commercial trailer or
29 semitrailer, the assigned permanent trailer identification
30 plate remains with the trailer or semitrailer for the life of
31 the vehicle except as provided in Section 5101. Upon
32 transfer of ownership, a new identification certificate
33 shall be issued.

34 (e) A service fee, sufficient to pay at least the entire
35 actual costs to the department, not to exceed twenty
36 dollars (\$20) shall be assessed by the department upon
37 assigning a permanent trailer identification plate.

38 (f) A fee of seven dollars (\$7) for substitute
39 permanent trailer identification plates or certificates
40 shall be charged.

(g) All outstanding trailer and semitrailer license plates and registration indicia that were issued under this code on December 31, 2001, shall be considered valid.

(h) Every trailer which is submitted for original registration in this state will be issued a permanent trailer identification plate and identification certificate.

(i) A service fee of ten dollars (\$10) shall be charged for each vehicle renewing its trailer plate or permanent trailer identification plate. These plates shall be renewed on the anniversary date of either the trailer plate expiration date or the date of issuance of the original permanent trailer identification plate, every five calendar years commencing in 2007.

SEC. 25. Section 5015 of the Vehicle Code is amended to read:

5015. (a) The application for an identification plate for special construction equipment, special mobile equipment, cemetery equipment, and any logging vehicle shall be made before that piece of equipment is moved over a highway.

(b) The application for an identification plate for a cotton trailer or a farm trailer as specified in Section 36109, a vehicle that is farmer-owned and used as provided in subdivision (b) of Section 36101, a motor vehicle that is farmer-owned and operated and used as provided in subdivision (a) of Section 36101, or an automatic bale wagon operated as specified in subdivision (a) or (b) of Section 36102 shall be made before any such piece of equipment is moved over a highway.

(c) The application for a permanent trailer identification plate, as described in Section 5014.1, shall be made prior to the equipment or vehicle described in subdivision (a) being moved, towed, or left standing on any highway or in any offstreet public parking facility.

SEC. 26. Section 5016 of the Vehicle Code is amended to read:

5016. Upon proper application and payment of the fees specified in Section 5014.1 or 9261, the department shall issue an identification plate and an identification certificate for the piece of equipment, vehicle, trailer,

1 semitrailer, or implement of husbandry for which
2 application is made.

3 SEC. 27. Section 5017 of the Vehicle Code is amended
4 to read:

5 5017. (a) Each identification plate issued under
6 Section 5016 shall bear a distinctive number to identify
7 the equipment, logging vehicle, trailer, semitrailer, or
8 implement of husbandry for which it is issued. The owner,
9 upon being issued a plate, shall attach it to the equipment,
10 logging vehicle, or implement of husbandry for which it
11 is issued and shall carry the identification certificate
12 issued by the department as provided by Section 4454. It
13 shall be unlawful for any person to attach or use the plate
14 upon any other equipment, logging vehicle, trailer,
15 semitrailer, or implement of husbandry. If the
16 equipment, logging vehicle, or implement of husbandry
17 is destroyed or the ownership thereof transferred to
18 another person, the person to whom the plate was issued
19 shall within 10 days notify the department, on a form
20 approved by the department, that the equipment,
21 logging vehicle, trailer, semitrailer, or implement of
22 husbandry has been destroyed or the ownership thereof
23 transferred to another person.

24 (b) Upon the implementation of the permanent
25 trailer identification plate program, all trailers except
26 those exempted in paragraph (3) of subdivision (a) of
27 Section 5014.1 may be assigned a single permanent plate
28 for identification purposes. Upon issuance of the plate, it
29 shall be attached to the vehicle pursuant to Sections 5200
30 and 5201.

31 (c) An identification certificate shall be issued for each
32 trailer or semitrailer assigned an identification plate. The
33 identification certificate shall contain upon its face, the
34 date issued, the name and residence or business address
35 of the registered owner or lessee and of the legal owner,
36 if any, the vehicle identification number assigned to the
37 trailer or semitrailer, and a description of the trailer or
38 semitrailer as complete as that required in the application
39 for registration of the trailer or semitrailer. When an
40 identification certificate has been issued to a trailer or

1 semitrailer, the owner or operator shall make that
2 certificate available for inspection by a peace officer upon
3 request.

4 (d) The application for transfer of ownership of a
5 vehicle with a trailer plate or permanent trailer
6 identification plate shall be made within 10 days of sale of
7 the vehicle. A service fee of seven dollars (\$7) shall be
8 charged according to subdivision (c) of Section 9261. The
9 permanent trailer identification certificate is not a
10 certificate of ownership as described in Section 38076.

11 SEC. 28. Section 5101 of the Vehicle Code is amended
12 to read:

13 5101. Any person who is the registered owner or
14 lessee of a passenger vehicle, commercial motor vehicle,
15 motorcycle, trailer, or semitrailer registered or
16 certificated with the department, or who makes
17 application for an original registration or renewal
18 registration of that vehicle, may, upon payment of the fee
19 prescribed in Section 5106, apply to the department for
20 environmental license plates, in the manner prescribed
21 in Section 5105, which plates shall be affixed to the
22 passenger vehicle, commercial motor vehicle,
23 motorcycle, trailer, or semitrailer for which registration
24 is sought in lieu of the regular license plates.

25 SEC. 28.5. Section 5101 of the Vehicle Code is
26 amended to read:

27 5101. Any person who is the registered owner or
28 lessee of a passenger vehicle, commercial motor vehicle,
29 motorcycle, trailer, or semitrailer registered or
30 certificated with the department, or who makes
31 application for an original registration or renewal
32 registration of that vehicle, may, upon payment of the fee
33 prescribed in Section 5106, apply to the department for
34 environmental license plates, in the manner prescribed
35 in Section 5105, which plates shall be affixed to the
36 passenger vehicle, commercial motor vehicle,
37 motorcycle, trailer, or semitrailer for which registration
38 is sought in lieu of the regular license plates.

39 SEC. 29. Section 5103 of the Vehicle Code is amended
40 to read:

1 5103. “Environmental license plates,” as used in this
2 article, means license plates or permanent trailer
3 identification plates that have displayed upon them the
4 registration number assigned to the passenger vehicle,
5 commercial motor vehicle, motorcycle, trailer, or
6 semitrailer for which such registration number was issued
7 in a combination of letters or numbers, or both, requested
8 by the owner or lessee of the vehicle.

9 SEC. 29.5. Section 5103 of the Vehicle Code is
10 amended to read:

11 5103. “Environmental license plates,” as used in this
12 article, means license plates or permanent trailer
13 identification plates that have displayed upon them the
14 registration number assigned to the passenger vehicle,
15 commercial motor vehicle, motorcycle, trailer, or
16 semitrailer for which a registration number was issued in
17 a combination of letters or numbers, or both, requested
18 by the owner or lessee of the vehicle.

19 SEC. 30. Section 5106 of the Vehicle Code is amended
20 to read:

21 5106. (a) Except as provided in Section 5101.7, in
22 addition to the regular registration fee or a permanent
23 trailer identification fee, the applicant shall be charged a
24 fee of forty dollars (\$40).

25 (b) In addition to the regular renewal fee or a
26 permanent trailer identification fee for the vehicle to
27 which the plates are assigned, the applicant for a renewal
28 of the plates shall be charged an additional fee of
29 twenty-five dollars (\$25). An applicant with a permanent
30 trailer identification plate shall be charged an annual fee
31 of twenty-five dollars (\$25). However, applicants for
32 renewal of prisoner-of-war special license plates issued
33 under Section 5101.5 shall not be charged the additional
34 renewal fee under this subdivision.

35 (c) When payment of renewal fees is not required as
36 specified in Section 4000, the holder of any environmental
37 license plate may retain the plate upon payment of an
38 annual fee of twenty-five dollars (\$25). The fee shall be
39 due at the expiration of the registration year of the
40 vehicle to which the environmental license plate was last

1 assigned. However, applicants for retention of
2 prisoner-of-war special license plates issued under
3 Section 5101.5 shall not be charged the additional
4 retention fee under this subdivision.

5 (d) Notwithstanding Section 9265, the applicant for a
6 duplicate environmental license plate or a duplicate,
7 replacement commemorative 1984 Olympic
8 reflectorized license plate shall be charged a fee of thirty
9 dollars (\$30).

10 SEC. 31. Section 5108 of the Vehicle Code is amended
11 to read:

12 5108. Whenever any person who has been issued
13 environmental license plates applies to the department
14 for transfer of the plates to another passenger vehicle,
15 commercial motor vehicle, trailer, or semitrailer a
16 transfer fee of twenty dollars (\$20) shall be charged in
17 addition to all other appropriate fees.

18 SEC. 32. Section 5204 of the Vehicle Code is amended
19 to read:

20 5204. (a) Except as provided by subdivisions (b) and
21 (c), a tab shall indicate the year of expiration and a tab
22 shall indicate the month of expiration. Current month
23 and year tabs shall be attached to the rear license plate
24 assigned to the vehicle for the last preceding registration
25 year in which license plates were issued, and, when so
26 attached, the license plate with the tabs shall, for the
27 purposes of this code, be deemed to be the license plate,
28 except that truck tractors, and commercial motor
29 vehicles having a declared gross vehicle weight of 10,001
30 pounds or more, shall display the current month and year
31 tabs upon the front license plate assigned to the truck
32 tractor or commercial motor vehicle. Vehicles that fail to
33 display current month and year tabs or display expired
34 tabs are in violation of this section.

35 (b) The requirement of subdivision (a) that the tabs
36 indicate the year and the month of expiration does not
37 apply to fleet vehicles subject to Article 9.5 (commencing
38 with Section 5300) or vehicles defined in Section 468.

39 (c) Subdivision (a) does not apply when proper
40 application for registration has been made pursuant to

1 Section 4602 and the new indicia of current registration
2 have not been received from the department.

3 (d) This section is enforceable against any motor
4 vehicle that is driven, moved, or left standing upon a
5 highway, or in an offstreet public parking facility, in the
6 same manner as provided in subdivision (a) of Section
7 4000.

8 SEC. 33. Section 5301 of the Vehicle Code is amended
9 to read:

10 5301. (a) Notwithstanding any other provision of this
11 code and Part 5 (commencing with Section 10701) of
12 Division 2 of the Revenue and Taxation Code, the
13 registered owner or lessee of a fleet of vehicles consisting
14 of commercial motor vehicles base plated in the state
15 under Article 4 (commencing with Section 8050) of
16 Chapter 4, or passenger automobiles may, upon payment
17 of appropriate fees, apply to the department for
18 permanent license plates or decals and registration cards.

19 (b) Fleets shall consist of at least 50 motor vehicles to
20 qualify for this program. However, the department may
21 provide for permanent fleet registration through an
22 association providing a combination of fleets of motor
23 vehicles of 250 or more vehicles with no individual fleet
24 of fewer than 25 motor vehicles. An association
25 submitting an application of participation in the program
26 shall provide within the overall application a listing
27 identifying the registered owner of each fleet and the
28 motor vehicles within each fleet. Identification of the
29 motor vehicles as provided in this article applies to the
30 ownership of the motor vehicles and not the association
31 submitting the application.

32 (c) With the concurrence of both the department and
33 the participant, the changes made in this section by the
34 enactment of the Commercial Vehicle Registration Act of
35 2001 shall not affect those participants who were lawfully
36 participating in the permanent fleet registration
37 program on December 31, 2001. Any fleet that qualifies
38 for permanent fleet registration as of December 31, 2001,
39 will continue to count trailers to qualify as a fleet until
40 January 1, 2007. However, five years following the

1 implementation of the permanent trailer identification
2 program, all participants in the permanent fleet
3 registration program shall meet the requirements of this
4 section in order to continue enrollment in the program
5 described in this section.

6 SEC. 34. Section 5302 of the Vehicle Code is amended
7 to read:

8 5302. (a) Motor vehicles registered in any state other
9 than California shall not be permitted to participate in
10 this program.

11 (b) Section 4604 does not apply to vehicles registered
12 under this article.

13 (c) The department may conduct an audit of the
14 records of each fleet owner or lessee of the vehicle fleets
15 electing to participate in the program. The department
16 shall be fully reimbursed by the fleet owner or lessee for
17 the costs of conducting the audits.

18 (d) Vehicles registered under this article shall display
19 in a conspicuous place on both the right and the left side
20 of each motor vehicle the name, trademark, or logo of the
21 company. The display of the name, trademark, or logo
22 shall be in letters in sharp contrast to the background and
23 shall be of a size, shape, and color that is readily legible
24 during daylight hours from a distance of 50 feet.

25 (e) A motor vehicle under 6,000 pounds unladen
26 weight that is owned or leased by a public utility may be
27 registered under this article by displaying the permanent
28 fleet registration number on both the right and left side
29 or on the front and rear of the motor vehicle. The display
30 shall be in sharp contrast to the background and shall be
31 of a size, shape, and color that is readily legible during
32 daylight hours from a distance of 50 feet.

33 SEC. 35. Section 5305 of the Vehicle Code is amended
34 to read:

35 5305. In addition to any other fees due for motor
36 vehicles registered pursuant to this article, the
37 department may charge and collect a service fee of one
38 dollar (\$1) for each fleet motor vehicle at the time the
39 initial application is submitted to the department and at
40 the time of registration renewal of each fleet vehicle.

1 SEC. 36. Section 5902 of the Vehicle Code is amended
2 to read:

3 5902. (a) Whenever any person has received as
4 transferee a properly endorsed certificate of ownership,
5 that person shall, within 10 days thereafter, forward the
6 certificate with the proper transfer fee to the department
7 and thereby make application for a transfer of
8 registration. The certificate of ownership shall contain a
9 space for the applicant's driver's license or identification
10 card number, and the applicant shall furnish that
11 number, if any, in the space provided.

12 (b) An application for a transfer of registration of a
13 commercial motor vehicle specified in Section 34500 shall
14 include a declaration, made by the owner to the
15 department upon the appropriate form furnished by it,
16 that the owner is aware of the applicable motor carrier
17 safety regulations adopted by the Department of the
18 California Highway Patrol pursuant to Section 34501. A
19 registered owner, lessee, or designee may make this
20 declaration on a single form for all commercial motor
21 vehicles registered in the registered owner's name.

22 (c) An application for a transfer of a commercial motor
23 vehicle that exceeds 10,000 pounds declared gross vehicle
24 weight, as specified in Section 34500, shall include the
25 notification, made by the new registered owner, or that
26 owner's designee, of the declared gross vehicle weight of
27 the commercial motor vehicle singly or in combination.
28 A registered owner, lessee, or that owner's designee, may
29 make this certification on a single form provided by the
30 department for all commercial motor vehicles registered
31 in the owner's name.

32 SEC. 37. Section 6851 of the Vehicle Code is repealed.

33 SEC. 38. Section 6851.5 of the Vehicle Code is
34 repealed.

35 SEC. 39. Section 8000 of the Vehicle Code is amended
36 to read:

37 8000. The Reciprocity Commission may enter into
38 agreements with foreign jurisdictions that provide for the
39 exemption of fees for commercial vehicles if the foreign
40 jurisdictions provide equivalent exemptions to vehicles

1 registered in this state. The agreements shall be
2 applicable to vehicles that are properly licensed and
3 registered in the foreign jurisdictions. The commission
4 may also enter into agreements that provide for the
5 exemption of regulatory fees which are, or may be
6 imposed, by the Public Utilities Code or the department.

7 SEC. 40. Section 8054 of the Vehicle Code is amended
8 to read:

9 8054. (a) Upon the application for transfer of
10 ownership of a fleet of vehicles apportionately registered
11 pursuant to this article, the department shall permit
12 registration in the new owners name without reassessing
13 the registration and vehicle license fees, if the application
14 of the new ownership is for the same fleet interstate
15 operation as the previous owner.

16 (b) The new owner, lessee, or their designee, shall
17 certify the declared gross vehicle weight of the vehicle or
18 vehicles on a single form for all commercial motor
19 vehicles registered in the fleet owner's or lessee's name.
20 The department shall reassess the weight fees if the
21 declared gross vehicle weight is increased. The weight
22 fees will be assessed at a prorated rate.

23 SEC. 41. Section 9250.7 of the Vehicle Code is
24 amended to read:

25 9250.7. (a) (1) A service authority established under
26 Section 22710 may impose a service fee of one dollar (\$1)
27 on all vehicles, except trailers and semitrailers described
28 in subdivision (a) of Section 5014.1, registered to an
29 owner with an address in the county that established the
30 service authority. The fee shall be paid to the department
31 at the time of registration, or renewal of registration, or
32 when renewal becomes delinquent, except on vehicles
33 that are expressly exempted under this code from the
34 payment of registration fees.

35 (2) In addition to the one dollar (\$1) service fee, and
36 upon the implementation of the permanent trailer
37 identification plate program, and as part of the
38 Commercial Vehicle Registration Act of 2001, all
39 commercial motor vehicles registered to an owner with
40 an address in the county that established a service

1 authority under this section, shall pay an additional
2 service fee of two dollars (\$2).

3 (b) The department, after deducting its
4 administrative costs, shall transmit, at least quarterly, the
5 net amount collected pursuant to subdivision (a) to the
6 Treasurer for deposit in the Abandoned Vehicle Trust
7 Fund, which is hereby created. All money in the fund is
8 continuously appropriated to the Controller for
9 allocation to a service authority that has an approved
10 abandoned vehicle abatement program pursuant to
11 Section 22710, and for payment of the administrative costs
12 of the Controller. After deduction of its administrative
13 costs, the Controller shall allocate the money in the
14 Abandoned Vehicle Trust Fund to each service authority
15 in proportion to the revenues received from the fee
16 imposed by that authority pursuant to subdivision (a). If
17 any funds received by a service authority pursuant to this
18 section are not expended to abate abandoned vehicles
19 pursuant to an approved abandoned vehicle abatement
20 program within 90 days of the close of the fiscal year in
21 which the funds were received and the amount of those
22 funds exceeds the amount expended by the service
23 authority for the abatement of abandoned vehicles in the
24 previous fiscal year, a fee imposed pursuant to subdivision
25 (a) shall be suspended for one year, commencing the
26 following January 1.

27 (c) The fee imposed by a service authority shall
28 remain in effect only for a period of 10 years from the date
29 that the actual collection of the fee commenced.

30 SEC. 41.5. Section 9250.7 of the Vehicle Code is
31 amended to read:

32 9250.7. (a) (1) A service authority established under
33 Section 22710 may impose a service fee of one dollar (\$1)
34 on all vehicles, except trailers and semitrailers described
35 in subdivision (d) of Section 5014.1, registered to an
36 owner with an address in the county that established the
37 service authority. The fee shall be paid to the department
38 at the time of registration, or renewal of registration, or
39 when renewal becomes delinquent, except on vehicles

1 that are expressly exempted under this code from the
2 payment of registration fees.

3 (2) In addition to the one dollar (\$1) service fee, and
4 upon the implementation of the permanent trailer
5 identification plate program, and as part of the
6 Commercial Vehicle Registration Act of 2001, all
7 commercial motor vehicles registered to an owner with
8 an address in the county that established a service
9 authority under this section, shall pay an additional
10 service fee of two dollars (\$2).

11 (b) The department, after deducting its
12 administrative costs, shall transmit, at least quarterly, the
13 net amount collected pursuant to subdivision (a) to the
14 Treasurer for deposit in the Abandoned Vehicle Trust
15 Fund, which is hereby created. All money in the fund is
16 continuously appropriated to the Controller for
17 allocation to a service authority that has an approved
18 abandoned vehicle abatement program pursuant to
19 Section 22710, and for payment of the administrative costs
20 of the Controller. After deduction of its administrative
21 costs, the Controller shall allocate the money in the
22 Abandoned Vehicle Trust Fund to each service authority
23 in proportion to the revenues received from the fee
24 imposed by that authority pursuant to subdivision (a). If
25 any funds received by a service authority pursuant to this
26 section are not expended to abate abandoned vehicles
27 pursuant to an approved abandoned vehicle abatement
28 program that has been in existence for at least two full
29 fiscal years within 90 days of the close of the fiscal year in
30 which the funds were received and the amount of those
31 funds exceeds the amount expended by the service
32 authority for the abatement of abandoned vehicles in the
33 previous fiscal year, a fee imposed pursuant to subdivision
34 (a) shall be suspended for one year, commencing the July
35 1 following the Controller's determination pursuant to
36 subdivision (e).

37 (c) Every service authority that imposes a fee
38 authorized by subdivision (a) shall issue a fiscal yearend
39 report to the Controller on or before October 31
40 summarizing each of the following:

1 (1) The total revenues received by the service
2 authority for the previous fiscal year.

3 (2) The total expenditures by each service authority
4 for the previous fiscal year.

5 (3) The total number of vehicles abated during the
6 previous fiscal year.

7 (4) The average cost per abatement during the
8 previous fiscal year.

9 (5) Any additional, unexpended fee revenues for the
10 service authority for the previous fiscal year.

11 (d) Each service authority that fails to submit the
12 report required pursuant to subdivision (c) by November
13 30 of each year shall have the fee suspended for one year
14 pursuant to subdivision (b).

15 (e) On or before January 1, 2002, and on or before
16 January 1 annually thereafter the Controller shall review
17 the fiscal yearend reports submitted by each service
18 authority pursuant to subdivision (c) to determine if fee
19 revenues are being utilized in a manner consistent with
20 the service authority's program. If the use of the fee
21 revenues is not consistent with the service authority's
22 program, or if an excess of fee revenue exists beyond that
23 expended or to be expended as a part of the service
24 authority's program, the Controller shall suspend the
25 authority to collect the fee for one year pursuant to
26 subdivision (b). The Controller shall instruct the
27 Department of Motor Vehicles on or before January 1,
28 2002, and on or before January 1 annually thereafter, as
29 to the suspension of the collection of a fee by the service
30 authority, provided the service authority has been in
31 existence for at least two full fiscal years and the revenue
32 fee surpluses are in excess of those allowed under this
33 section.

34 (f) On or before January 1, 2002, and on or before
35 January 1 annually thereafter, the Controller shall
36 prepare and submit to the Legislature a revenue and
37 expenditure summary for each service authority
38 established under Section 22710 that includes, but is not
39 limited to, all of the following:

40 (1) Total revenues received by each service authority.



1 (2) Total expenditures by each service authority.

2 (3) Unexpended revenues for each service authority.

3 (4) Total number of vehicle abatements for each
4 service authority.

5 (5) The average cost per abatement for each service
6 authority.

7 (g) The fee imposed by a service authority shall
8 remain in effect until January 1, 2015.

9 SEC. 42. Section 9250.8 of the Vehicle Code is
10 amended to read:

11 9250.8. (a) In addition to any other fees specified in
12 this code and the Revenue and Taxation Code, a fee of
13 one dollar (\$1) shall be paid at the time of registration or
14 renewal of registration of every vehicle, except trailers
15 and semitrailers described in subdivision (a) of Section
16 5014.1, subject to registration under this code, except
17 those vehicles that are expressly exempted under this
18 code from the payment of registration fees.

19 (b) In addition to the one dollar (\$1) fee, upon the
20 implementation of the permanent trailer identification
21 plate program, and as part of the Commercial Vehicle
22 Registration Act of 2001, all commercial motor vehicles
23 shall pay an additional fee of two dollars (\$2).

24 SEC. 43. Section 9250.10 of the Vehicle Code is
25 amended to read:

26 9250.10. (a) (1) In addition to any other fees
27 specified in this code and the Revenue and Taxation
28 Code, any additional fees imposed by a service authority
29 for freeway emergencies pursuant to Section 2555 of the
30 Streets and Highways Code shall be paid to the
31 department at the time of registration or renewal of
32 registration of every vehicle, except trailers and
33 semitrailers described in subdivision (a) of Section 5014.1,
34 subject to registration under this code in the subject
35 counties, except those vehicles that are expressly
36 exempted under this code from the payment of
37 registration fees.

38 (2) In addition to the additional fees imposed for
39 freeway emergencies, and upon the implementation of
40 the permanent trailer identification plate program, and

1 as part of the Commercial Vehicle Registration Act of
2 2001, all commercial motor vehicles registered to an
3 owner with an address in the county that established a
4 service authority under this section, shall pay an
5 additional service fee of two dollars (\$2).

6 (b) After deducting its administrative costs, the
7 department shall distribute the additional fees collected
8 pursuant to subdivision (a) to the authority in the county
9 in which they were collected.

10 SEC. 44. Section 9250.13 of the Vehicle Code is
11 amended to read:

12 9250.13. (a) (1) In addition to any other fees
13 specified in this code and the Revenue and Taxation
14 Code, a fee of one dollar (\$1) shall be paid at the time of
15 registration or renewal of registration of every vehicle,
16 except trailers and semitrailers described in subdivision
17 (a) of Section 5014.1, subject to registration under this
18 code, except those vehicles that are expressly exempted
19 under this code from the payment of registration fees.

20 (2) In addition to the one dollar (\$1) fee, upon the
21 implementation of the permanent trailer identification
22 plate program, and as part of the Commercial Vehicle
23 Registration Act of 2001, all commercial motor vehicles
24 shall pay an additional fee of two dollars (\$2).

25 (b) The money realized pursuant to this section shall
26 be available, upon appropriation by the Legislature, for
27 expenditure to offset the costs of increasing the
28 uniformed field strength of the Department of the
29 California Highway Patrol beyond its 1994 staffing level
30 and those costs associated with maintaining this new level
31 of uniformed field strength and carrying out those duties
32 specified in subdivision (a) of Section 830.2 of the Penal
33 Code.

34 SEC. 45. Section 9250.14 of the Vehicle Code is
35 amended to read:

36 9250.14. (a) (1) In addition to any other fees
37 specified in this code and the Revenue and Taxation
38 Code, upon the adoption of a resolution by any county
39 board of supervisors, a fee of one dollar (\$1) shall be paid
40 at the time of registration or renewal of registration of

1 every vehicle, except trailers and semitrailers described
2 in subdivision (a) of Section 5014.1, registered to an
3 address within that county except those expressly
4 exempted from payment of registration fees. The fees,
5 after deduction of the administrative costs incurred by
6 the department in carrying out this section, shall be paid
7 quarterly to the Controller.

8 (2) In addition to the one dollar (\$1) service fee, and
9 upon the implementation of the permanent trailer
10 identification plate program, and as part of the
11 Commercial Vehicle Registration Act of 2001, all
12 commercial motor vehicles registered to an owner with
13 an address in the county that established a service
14 authority under this section, shall pay an additional
15 service fee of two dollars (\$2).

16 (b) Notwithstanding Section 13340 of the
17 Government Code, the money paid to the Controller is
18 continuously appropriated, without regard to fiscal years,
19 for the administrative costs of the Controller, and for
20 disbursement by the Controller to each county that has
21 adopted a resolution pursuant to subdivision (a), based
22 upon the number of vehicles registered, or whose
23 registration is renewed, to an address within that county.

24 (c) Except as otherwise provided in this subdivision,
25 money allocated to a county pursuant to subdivision (b)
26 shall be expended exclusively to fund programs that
27 enhance the capacity of local police and prosecutors to
28 deter, investigate, and prosecute vehicle theft crimes. In
29 any county with a population of 200,000 or less, the money
30 shall be expended exclusively for those vehicle theft
31 crime programs and for the prosecution of crimes
32 involving driving under the influence of alcohol or drugs
33 in violation of Section 23152 or 23153, or vehicular
34 manslaughter in violation of Section 191.5 or subdivision
35 (c) of Section 192 of the Penal Code, or any combination
36 of those crimes.

37 (d) No money collected pursuant to this section shall
38 be expended to offset a reduction in any other source of
39 funds, nor for any purpose not authorized under this
40 section.

1 (e) Any funds received by a county prior to January 1,
2 2000, pursuant to this section that are not expended to
3 deter, investigate, or prosecute crimes pursuant to
4 subdivision (c) shall be returned to the Controller, for
5 deposit in the Motor Vehicle Account in the State
6 Transportation Fund. Those funds received by a county
7 after January 1, 2000, shall be expended in accordance
8 with this section.

9 (f) Each county that has adopted or adopts a resolution
10 pursuant to subdivision (a) shall submit, on or before the
11 13th day following the end of each quarter, a quarterly
12 expenditure and activity report to the designated
13 statewide Vehicle Theft Investigation and Apprehension
14 Coordinator in the Department of the California
15 Highway Patrol. The coordinator shall compile all county
16 reports and prepare an annual report for dissemination to
17 the Legislature and participating counties.

18 (g) This section shall remain in effect only until
19 January 1, 2005, and as of that date is repealed, unless a
20 later enacted statute, that is enacted on or before January
21 1, 2005, deletes or extends that date.

22 SEC. 45.5. Section 9250.14 of the Vehicle Code is
23 amended to read:

24 9250.14. (a) (1) In addition to any other fees
25 specified in this code and the Revenue and Taxation
26 Code, upon the adoption of a resolution by any county
27 board of supervisors, a fee of one dollar (\$1) shall be paid
28 at the time of registration or renewal of registration of
29 every vehicle, except trailers and semitrailers described
30 in subdivision (a) of Section 5014.1, registered to an
31 address within that county except those expressly
32 exempted from payment of registration fees. The fees,
33 after deduction of the administrative costs incurred by
34 the department in carrying out this section, shall be paid
35 quarterly to the Controller.

36 (2) In addition to the one dollar (\$1) service fee, and
37 upon the implementation of the permanent trailer
38 identification plate program, and as part of the
39 Commercial Vehicle Registration Act of 2001, all
40 commercial motor vehicles registered to an owner with

1 an address in the county that established a service
2 authority under this section, shall pay an additional
3 service fee of two dollars (\$2).

4 (b) Notwithstanding Section 13340 of the
5 Government Code, the money paid to the Controller is
6 continuously appropriated, without regard to fiscal years,
7 for the administrative costs of the Controller, and for
8 disbursement by the Controller to each county that has
9 adopted a resolution pursuant to subdivision (a), based
10 upon the number of vehicles registered, or whose
11 registration is renewed, to an address within that county.

12 (c) Except as otherwise provided in this subdivision,
13 money allocated to a county pursuant to subdivision (b)
14 shall be expended exclusively to fund programs that
15 enhance the capacity of local police and prosecutors to
16 deter, investigate, and prosecute vehicle theft crimes. In
17 any county with a population of 250,000 or less, the money
18 shall be expended exclusively for those vehicle theft
19 crime programs and for the prosecution of crimes
20 involving driving while under the influence of alcohol or
21 drugs, or both, in violation of Section 23152 or 23153, or
22 vehicular manslaughter in violation of Section 191.5 or
23 subdivision (c) of Section 192 of the Penal Code, or any
24 combination of those crimes.

25 (d) No money collected pursuant to this section shall
26 be expended to offset a reduction in any other source of
27 funds, nor for any purpose not authorized under this
28 section.

29 (e) Any funds received by a county prior to January 1,
30 2000, pursuant to this section that are not expended to
31 deter, investigate, or prosecute crimes pursuant to
32 subdivision (c) shall be returned to the Controller, for
33 deposit in the Motor Vehicle Account in the State
34 Transportation Fund. Those funds received by a county
35 after January 1, 2000, shall be expended in accordance
36 with this section.

37 (f) Each county that has adopted or adopts a resolution
38 pursuant to subdivision (a) shall submit, on or before the
39 13th day following the end of each quarter, a quarterly
40 expenditure and activity report to the designated

1 statewide Vehicle Theft Investigation and Apprehension
2 Coordinator in the Department of the California
3 Highway Patrol. The coordinator shall compile all county
4 reports and prepare an annual report for dissemination to
5 the Legislature and participating counties.

6 (g) This section shall remain in effect only until
7 January 1, 2005, and as of that date is repealed, unless a
8 later enacted statute, that is enacted on or before January
9 1, 2005, deletes or extends that date.

10 SEC. 46. Section 9250.19 of the Vehicle Code is
11 amended to read:

12 9250.19. (a) (1) In addition to any other fees
13 specified in this code and the Revenue and Taxation
14 Code, upon the adoption of a resolution pursuant to this
15 subdivision by any county board of supervisors, a fee of
16 one dollar (\$1) shall be paid at the time of registration,
17 renewal, or supplemental application for apportioned
18 registration pursuant to Article 4 (commencing with
19 Section 8050) of Chapter 4 of every vehicle, except
20 trailers and semitrailers described in subdivision (a) of
21 Section 5014.1, registered to an address within that county
22 except those expressly exempted from payment of
23 registration fees. The fees, after deduction of the
24 administrative costs incurred by the department in
25 carrying out this section, shall be paid quarterly to the
26 Controller.

27 (2) In addition to the one dollar (\$1) service fee, and
28 upon the implementation of the permanent trailer
29 identification plate program, and as part of the
30 Commercial Vehicle Registration Act of 2001, all
31 commercial motor vehicles registered to an owner with
32 an address in the county that established a service
33 authority under this section, shall pay an additional
34 service fee of two dollars (\$2).

35 (3) A resolution adopted pursuant to paragraph (1)
36 shall include findings as to the purpose of, and the need
37 for, imposing the additional registration fee, and shall
38 identify the date after which the fee shall no longer be
39 imposed.

1 (b) Notwithstanding Section 13340 of the
2 Government Code, the money paid to the Controller
3 pursuant to subdivision (a) is continuously appropriated,
4 without regard to fiscal years, for disbursement by the
5 Controller to each county that has adopted a resolution
6 pursuant to subdivision (a), based upon the number of
7 vehicles registered, or whose registration is renewed, to
8 an address within that county, or supplemental
9 application for apportioned registration, and, upon
10 appropriation by the Legislature, for the administrative
11 costs of the Controller incurred under this section.

12 (c) Money allocated to a county pursuant to
13 subdivision (b) shall be expended exclusively to fund
14 programs that enhance the capacity of local law
15 enforcement to provide automated mobile and fixed
16 location fingerprint identification of individuals who may
17 be involved in driving under the influence of alcohol or
18 drugs in violation of Section 23152 or 23153, or vehicular
19 manslaughter in violation of Section 191.5 of the Penal
20 Code or subdivision (c) of Section 192 of the Penal Code,
21 or any combination of those and other vehicle-related
22 crimes, and other crimes committed while operating a
23 motor vehicle.

24 (d) The data from any program funded pursuant to
25 subdivision (c) shall be made available by the local law
26 enforcement agency to any local public agency that is
27 required by law to obtain a criminal history background
28 of persons as a condition of employment with that local
29 public agency. A local law enforcement agency that
30 provides the data may charge a fee to cover its actual costs
31 in providing that data.

32 (e) (1) No money collected pursuant to this section
33 shall be used to offset a reduction in any other source of
34 funds for the purposes authorized under this section.

35 (2) Funds collected pursuant to this section, upon
36 recommendation of local or regional Remote Access
37 Network Boards to the Board of Supervisors, shall be used
38 exclusively for the purchase, by competitive bidding
39 procedures, and the operation of equipment which is
40 compatible with the Department of Justice's Cal-ID

1 master plan, as described in Section 11112.2 of the Penal
2 Code, and the equipment shall interface in a manner that
3 is in compliance with the requirement described in the
4 Criminal Justice Information Services, Electronic
5 Fingerprint Transmission Specification, prepared by the
6 Federal Bureau of Investigation and dated August 24,
7 1995.

8 (f) The fee imposed under this section shall remain in
9 effect only for a period of five years from the date that the
10 actual collection of the fee commences, unless a later
11 enacted statute deletes or extends that period.

12 SEC. 47. Section 9260 of the Vehicle Code is amended
13 to read:

14 9260. (a) The fee for a temporary registration issued
15 under Section 4004 is one-quarter of the annual fees in
16 Division 3 (commencing with Section 4000) of this code
17 and Part 5 (commencing with Section 10701) of Division
18 2 of the Revenue and Taxation Code, for the period that
19 the vehicle is to be operated in this state.

20 (b) The fee for a trip permit issued under Section 4004
21 is forty-five dollars (\$45) for each commercial motor
22 vehicle.

23 SEC. 48. Section 9261 of the Vehicle Code is amended
24 to read:

25 9261. (a) A service fee of seven dollars (\$7) shall be
26 paid for an identification plate issued pursuant to Section
27 5014. Publicly owned special construction equipment,
28 cemetery equipment, special mobile equipment, logging
29 vehicles, and implements of husbandry are exempt from
30 the service charge.

31 (b) A service fee of seven dollars (\$7) shall be paid for
32 an identification plate issued pursuant to Section 5016.5.

33 (c) Upon application for the transfer of interest of an
34 owner in a piece of equipment, vehicle, or implement of
35 husbandry identified pursuant to Section 5014, the
36 transferee shall pay a fee of seven dollars (\$7).

37 (d) A fee of three dollars (\$3) shall be paid upon the
38 renewal of an identification plate issued pursuant to
39 Section 5014 or 5016.5.



SEC. 49. Section 9400 of the Vehicle Code is amended to read:

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial motor vehicle singly, or in combination, that operates with a ~~declared gross~~ *an unladen* weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257
8,001 lbs. to and including 9,000 lbs.	308
9,001 lbs. to and including 10,000 lbs.	360

(c) For any motor vehicle having three or more axles designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
2,000 lbs. to and including 3,000 lbs.	\$ 43
3,001 lbs. to and including 4,000 lbs.	77
4,001 lbs. to and including 5,000 lbs.	154
5,001 lbs. to and including 6,000 lbs.	231
6,001 lbs. to and including 7,000 lbs.	308
7,001 lbs. to and including 8,000 lbs.	385
8,001 lbs. to and including 9,000 lbs.	462
9,001 lbs. to and including 10,000 lbs.	539

(d) This section is not applicable to any vehicle that is operated or moved over the highway exclusively for the purpose of historical exhibition or other similar noncommercial purpose.

(e) The fee changes effected by this section apply to (1) initial or original registration on or after January 1, 1995, and prior to December 31, 2001, of any commercial vehicle never before registered in this state and (2) to renewal of registration of any commercial vehicle whose registration expires on or after January 1, 1995, and prior to December 31, 2001.

(f) Commercial vehicles, other than those specified in Section 9400.1, with an initial registration or renewal of registration that is due on or after December 31, 2001, are subject to the payment of fees specified in this section.

SEC. 49.5. Section 9400 of the Vehicle Code is amended to read:

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial motor vehicle singly, or in combination, that operates with a ~~declared~~ *gross an unladen* weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to

transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8
3,000 lbs. to and including 4,000 lbs.	24
4,001 lbs. to and including 5,000 lbs.	80
5,001 lbs. to and including 6,000 lbs.	154
6,001 lbs. to and including 7,000 lbs.	204
7,001 lbs. to and including 8,000 lbs.	257
8,001 lbs. to and including 9,000 lbs.	308
9,001 lbs. to and including 10,000 lbs.	360

(c) For any motor vehicle having three or more axles designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
2,000 lbs. to and including 3,000 lbs.	\$ 43
3,001 lbs. to and including 4,000 lbs.	77
4,001 lbs. to and including 5,000 lbs.	154
5,001 lbs. to and including 6,000 lbs.	231
6,001 lbs. to and including 7,000 lbs.	308

1	7,001 lbs. to and including 8,000 lbs.	385
2	8,001 lbs. to and including 9,000 lbs.	462
3	9,001 lbs. to and including 10,000 lbs.	539

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10 (d) This section is not applicable to any vehicle that is
11 operated or moved over the highway exclusively for the
12 purpose of historical exhibition or other similar
13 noncommercial purpose.

14 (e) (1) Except as provided in paragraph (2), in
15 addition to the fees set forth in subdivisions (b) and (c),
16 a Cargo Theft Interdiction Program Fee of three dollars
17 (\$3) shall be paid at the time of initial or original
18 registration or renewal of registration of each motor
19 vehicle subject to weight fees under ~~this section~~ *Section*
20 *9400.1*.

21 (2) This subdivision does not apply to vehicles used or
22 maintained for the transportation of persons for hire,
23 compensation or profit, pickup trucks, utility trailers, and
24 tow trucks.

25 (3) For vehicles registered under Article 4
26 (commencing with Section 8050) of Chapter 4, the fee
27 imposed under this subdivision shall be apportioned as
28 required for registration fees under that article.

29 (4) Funds collected pursuant to the Cargo Theft
30 Interdiction Program shall be transferred to the Motor
31 Carriers Safety Improvement Fund.

32 (f) The fee changes effected by this section apply to
33 (1) initial or original registration on or after January 1,
34 1995, and prior to December 31, 2001, of any commercial
35 vehicle never before registered in this state and (2) to
36 renewal of registration of any commercial vehicle whose
37 registration expires on or after January 1, 1995, and prior
38 to December 31, 2001.

39 (g) Commercial vehicles, other than those specified in
Section 9400.1, with an initial registration or renewal of

registration that is due on or after December 31, 2001, are subject to the payment of fees specified in this section.

SEC. 50. Section 9400.1 is added to the Vehicle Code, to read:

9400.1. In addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of commercial motor vehicles operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more. Pickup truck weight fees are not calculated under this section.

Gross Vehicle Weight Range	Fee
10,001–15,000	\$ 257
15,001–20,000	353
20,001–26,000	435
26,001–30,000	552
30,001–35,000	648
35,001–40,000	761
40,001–45,000	837
45,001–49,999	948
50,000–54,999	1,039
55,001–60,000	1,173
45,001–50,000	948
50,001–54,999	1,039
55,000–60,000	1,173
60,001–65,000	1,282
65,001–70,000	1,398
70,001–75,000	1,650
75,001–80,000	1,700

The fee changes effected by this section apply to (1) initial or original registration on and after December 31, 2001, of any commercial motor vehicle operated either singly or in combination with a declared gross vehicle weight of 10,001 pounds or more and (2) to renewal of registration of any commercial motor vehicle operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more for which registration expires on or after December 31, 2001.

1 SEC. 51. Section 9406 of the Vehicle Code is amended
2 to read:

3 9406. Alterations or additions to registered vehicles
4 for which fees have been paid under Section 9400 or
5 9400.1 placing the vehicles in weight fee classifications
6 under Section 9400 or 9400.1 greater than the weight fees
7 previously paid shall be reported to the department and
8 at the same time the difference between the weight fee
9 previously paid, reduced as provided in Section 9407, and
10 the greater weight fee, reduced as provided in Section
11 9407, shall be paid to the department upon the operation
12 of the vehicles in the greater weight fee classification
13 under Section 9400 or 9400.1.

14 SEC. 52. Section 9406.1 is added to the Vehicle Code,
15 to read:

16 9406.1. Prior to operation of a vehicle at a declared
17 gross vehicle weight greater than reported to, and
18 registered by, the department, the owner shall make
19 application to the department and pay all appropriate
20 fees.

21 SEC. 53. Section 9408 of the Vehicle Code is amended
22 to read:

23 9408. (a) Whenever any registered commercial
24 vehicle, including, but not limited to, any commercial
25 vehicle operating in California with apportioned
26 registration, for which fees have been paid under Section
27 9400 or 9400.1 is withdrawn from service in this state
28 before the expiration of the registration, the owner may
29 surrender the registration card and license plates
30 previously issued for the vehicle to the department and,
31 within 90 days of the time of withdrawal, make
32 application for the registration of another commercial
33 vehicle which is subject to the fees specified in Section
34 9400 or 9400.1. If the vehicle that is withdrawn from
35 service is operating in this state under Article 4
36 (commencing with Section 8050 of Chapter 4, credit for
37 any unused fees paid under Section 9400 or 9400.1 may be
38 applied only to a commercial vehicle concurrently added
39 to the same apportioned fleet.



(b) Under the circumstances described in subdivision (a), and upon a proper showing of the facts, the department upon determining the fees payable under this division shall allow as credit thereon the unexpired portion, as of the month of the application, of the fee paid under Section 9400 or 9400.1 for the previous registration, but, in addition to fees otherwise payable under this division less any credit, shall charge and collect an additional fee of two dollars (\$2) for issuance of the new registration.

SEC. 54. Section 9554.2 is added to the Vehicle Code, to read:

9554.2. Upon the operation of a commercial motor vehicle at a greater gross vehicle weight than had been reported to and registered by the department, a new registration application shall be made to the department. The greater declared gross vehicle weight fee as required in Section 9400.1 and any penalties defined in this code shall be paid to the department.

SEC. 55. Section 27910 is added to the Vehicle Code, to read:

27910. The Department of the California Highway Patrol shall initiate a 12-month study to determine an effective means to enforce the provisions of the Commercial Vehicle Registration Act of 2001. The Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, shall provide, on or before July 1, 2003, recommendations to the Legislature for actions to be taken to ensure compliance with that act.

SEC. 56. Section 36010 of the Vehicle Code is amended to read:

36010. A “farm trailer” is either of the following:

(a) A trailer or semitrailer owned and operated by a farmer in the conduct of agricultural operations, and used exclusively to transport agricultural products upon the highway to the point of first handling and return.

(b) A trailer or semitrailer equipped with rollers on the bed, with a frame not taller than 10 inches high, and with a gross vehicle weight rating of 10,000 pounds or less, that is owned, rented, or leased by a farmer and operated by that farmer in the conduct of agricultural operations, used exclusively to transport fruit and vegetables upon the highway to the point of first handling and return, and that was manufactured and in use prior to January 1, 1997. These vehicles may also be operated on the highways without a load for the purposes of delivering a rented or leased vehicle to the renting or leasing farmer's farm, or returning empty to the owner's premises.

SEC. 57. Section 36109 of the Vehicle Code is amended to read:

36109. "Farm trailers," as defined in Section 36010, having a gross weight of 10,000 pounds or less, are exempt from registration except that Section 5014 shall apply to such trailers.

SEC. 58. Section 42030.1 is added to the Vehicle Code, to read:

42030.1. (a) Every person convicted of a violation of any declared gross vehicle weight limitation provision of this code, shall be punished by a fine that equals the amounts specified in the following table:

Pounds in Excess of the Declared Gross Vehicle Weight	Fine
1,001–1,500	\$ 250
1,501–2,000	300
2,001–2,500	350
2,501–3,000	400
3,001–3,500	450
3,501–4,000	500
4,001–4,500	550
4,501–5,000	600
5,001–6,000	700
6,001–7,000	800
7,001–8,000	900

1	8,001–10,000	1,000
2	10,001 and over	2,000

3

4 (b) No part of the penalties prescribed by this section
5 shall be suspended for a conviction of any of the following:

6 (1) Section 40001 for requiring operation of a vehicle
7 upon a highway in violation of any provision referred to
8 in this section.

9 (2) Any provision referred to in this section when a
10 second or subsequent conviction of a violation thereof
11 occurs within three years immediately preceding the
12 violation charged.

13 SEC. 59. On or before January 1, 2003, and annually
14 thereafter, the Department of Motor Vehicles, in
15 consultation with the Department of the California
16 Highway Patrol, the Department of Transportation, the
17 Board of Equalization, and the commercial vehicle
18 industry, shall review and report to the Legislature its
19 findings and, if applicable, make any recommendation as
20 to the necessary adjustments in the fee schedule, to
21 ensure that revenue neutrality is obtained and
22 maintained for all affected entities and funds, and to
23 ensure that the revised fee schedule affects the
24 commercial vehicle industry in as equitable a manner as
25 possible.

26 SEC. 60. Section 28.5 of this bill incorporates
27 amendments to Section 5101 of the Vehicle Code
28 proposed by both this bill and AB 1515. It shall only
29 become operative if (1) both bills are enacted and
30 become effective on or before January 1, 2001, but this bill
31 becomes operative first, (2) each bill amends Section
32 5101 of the Vehicle Code, and (3) this bill is enacted after
33 AB 1515, in which case Section 5101 of the Vehicle Code,
34 as amended by Section 28 of this bill, shall remain
35 operative only until the operative date of AB 1515, at
36 which time Section 28.5 of this bill shall become
37 operative.

38 SEC. 61. Section 29.5 of this bill incorporates
39 amendments to Section 5103 of the Vehicle Code
40 proposed by both this bill and AB 1515. It shall only



1 become operative if (1) both bills are enacted and
2 become effective on or before January 1, 2001, but this bill
3 becomes operative first, (2) each bill amends Section
4 5103 of the Vehicle Code, and (3) this bill is enacted after
5 AB 1515, in which case Section 5103 of the Vehicle Code,
6 as amended by Section 29 of this bill, shall remain
7 operative only until the operative date of AB 1515, at
8 which time Section 29.5 of this bill shall become
9 operative.

10 SEC. 62. Section 41.5 of this bill incorporates
11 amendments to Section 9250.7 of the Vehicle Code
12 proposed by both this bill and SB 1333. It shall only
13 become operative if (1) both bills are enacted and
14 become effective on or before January 1, 2001, but this bill
15 becomes operative first, (2) each bill amends Section
16 9250.7 of the Vehicle Code, and (3) this bill is enacted
17 after SB 1333, in which case Section 9250.7 of the Vehicle
18 Code, as amended by Section 41 of this bill, shall remain
19 operative only until the operative date of SB 1333, at
20 which time Section 41.5 of this bill shall become
21 operative.

22 SEC. 63. Section 45.5 of this bill incorporates
23 amendments to Section 9250.14 of the Vehicle Code
24 proposed by both this bill and AB 2227. It shall only
25 become operative if (1) both bills are enacted and
26 become effective on or before January 1, 2001, (2) each
27 bill amends Section 9250.14 of the Vehicle Code, and (3)
28 this bill is enacted after AB 2227, in which case Section
29 9250.14 of the Vehicle Code, as amended by Section 45 of
30 this bill, shall remain operative only until the operative
31 date of AB 2227, at which time Section 45.5 of this bill shall
32 become operative.

33 SEC. 64. Section 49.5 of this bill incorporates
34 amendments to Section 9400 of the Vehicle Code
35 proposed by both this bill and AB 2749. It shall only
36 become operative if (1) both bills are enacted and
37 become effective on or before January 1, 2001, but this bill
38 becomes operative first, (2) each bill amends Section
39 9400 of the Vehicle Code, and (3) this bill is enacted after
40 AB 2749, in which case Section 9400 of the Vehicle Code,

1 as amended by Section 49 of this bill, shall remain
2 operative only until the operative date of AB 2749, at
3 which time Section 49.5 of this bill shall become
4 operative.

5 SEC. 65. No reimbursement is required by this act
6 pursuant to Section 6 of Article XIII B of the California
7 Constitution because the only costs that may be incurred
8 by a local agency or school district will be incurred
9 because this act creates a new crime or infraction,
10 eliminates a crime or infraction, or changes the penalty
11 for a crime or infraction, within the meaning of Section
12 17556 of the Government Code, or changes the definition
13 of a crime within the meaning of Section 6 of Article
14 XIII B of the California Constitution.

15 SEC. 66. The sum of three million five hundred
16 twenty thousand eight hundred nine dollars (\$3,520,809)
17 is hereby appropriated to the Department of Motor
18 Vehicles from the Motor Vehicle Account in the State
19 Transportation Fund for purposes of implementing this
20 act.

21 SEC. 67. This act shall become operative for vehicle
22 registrations that expire on or after December 31, 2001.

23 SEC. 68. This act is an urgency statute necessary for
24 the immediate preservation of the public peace, health,
25 or safety within the meaning of Article IV of the
26 Constitution and shall go into immediate effect. The facts
27 constituting the necessity are:

28 If California does not enact this act during this
29 legislative session, California stands to lose as much as
30 \$126 million in truck and trailer revenues. Of equal
31 concern is the fact that if California is no longer a member
32 of the IRP, many trucking fleet operators may be
33 encouraged to relocate their operations outside of this
34 state, meaning the loss of valuable jobs. In order to protect
35 California's interests, it is vital that this act go into
36 immediate effect.

